

### **REMARKS**

Claims 1-8, 10, 15-21 and 23-28 remain in the application for further prosecution. Claims 1 and 21 have been amended. Claims 9, 11-14 and 22 were previously canceled. In response to the Office Action mailed August 4, 2009, please consider the following remarks.

#### **Rejections – 35 USC § 101**

Claims 1-8, 10, 15-21 and 23-28 are rejected under 35 U.S.C. 101. The Office Action rejected these claims because the claims are directed to non-statutory subject matter. Applicant has amended base independent claims 1 and 21 to incorporate physical apparatus such as a wager input device and a processor. The claims have also been amended to tie various actions to such physical apparatus. Applicant respectfully submits amended that claims 1 and 21 and their dependents now meet the requirements of 35 U.S.C. 101.

#### **Rejections – 35 USC § 102**

Claims 1-8, 16-21, 23-26, and 28 are rejected under 35 USC 102(e) as being anticipated by Olsen (U.S. Patent No. 6,146,273)

#### **Rejections – 35 USC § 103**

Claims 10, 15 and 27 are rejected under 35 USC 103(a) as being unpatentable over Olsen in view of Luciano Jr. et al. (U.S. Patent No. 6,887,154 B1).

The present invention is directed toward having a plurality of players playing an underlying wagering game at different gaming terminals. A special bonus event for all eligible players is triggered when one of the players is awarded a jackpot based on a jackpot outcome of the underlying wagering game. The special bonus event provides a chance to be awarded bonuses. Bonuses are randomly selected to be awarded in the special bonus event to more than one but less than all of said players thus excluding at least one player from being awarded any bonus. The randomly selected bonuses are awarded in addition to any awards some of said players may win during continued play of the underlying wagering game.

The Olsen reference cited by the Office Action discloses a bonus type scheme based on connecting a controller component to existing banks of machines without modifying the machines themselves. For example, Fig. 2 shows a controller 200 that is coupled to existing gaming machines G1-Gk having interface cards via a network 202. (Col. 7, ll. 3-28). Since the controller in Olsen is added to a network of existing machines, but cannot be implemented within the machines themselves, the Olsen bonus may only be triggered by the coin-in (contributions) from each machine. Each contribution from the gaming machines increments a current value 220. (Col. 7, ll. 30-39). Once the current value 220 exceeds a bonus mode activation trigger 218, a bonus mode time period is announced. (Col. 7, ll. 50-60).

Claims 1 and 21 require that “when an outcome occurs in the underlying wagering game that identifies that a jackpot is to be awarded to at least one of said players,” “a special bonus event for all of said players presently playing the underlying wagering game” is entered. In other words, one of the players must be awarded to one of the players to trigger the special bonus event. Olsen does not anticipate these claims because the awarded bonus event in Olsen is triggered by the coin in of one of the eligible machines and not a jackpot awarded on one of the machines. (Col. 7, ll. 50-60) For example, Olsen explains that “upon insertion of monetary value into that machine ... will increment 244 the current value 220 to equal or exceed 246 the bonus mode activation trigger value 218 to start 248 the bonus mode time period.” (Col. 7, l. 67 to Col. 8, l. 5).

The Office Action has cited Col. 7, ll. 50-53 of Olsen as disclosing a jackpot is to be awarded to at least one of said players. (p. 5). However, this section only states that when “the current value 220 equals or exceeds 246, the controller 200 starts 248 the bonus mode time period.” This section does not disclose awarding a jackpot to at least one of the players or the awarding of the jackpot triggering the special event. In fact, this section teaches away from this element since it is the coin-in (contribution) that is collected from a player to increment the current value 220 and potentially trigger the bonus game (Col. 7, ll. 31-36). The Office Action also cited Fig. 4, element 248 which is the start bonus mode and Col. 12, ll. 20-25 of Olsen. (p. 5). Fig. 4 is a timing diagram that does not disclose triggering the start bonus mode 248 by a player being awarded a jackpot in the underlying game. In fact, Fig. 4 shows that a monetary

value bet by player P8 triggers the bonus mode time period by causing the current value 220 to equal the bonus mode activation trigger 218. (Col. 11, ll. 13-21). Col. 12, ll. 20-25 discusses eligibility criteria and does not disclose the condition to start the bonus mode as the awarding of a jackpot in the underlying game as required by these claims.

Claims 1 and 21 therefore are not anticipated by Olsen, because Olsen does not disclose entering a special bonus event when a jackpot is awarded to at least one player. As explained above, such a process is impossible with Olsen because Olsen uses a controller that is externally coupled to receive the coin in data from existing machines. Claims 1 and 21 and their dependents are therefore allowable over Olsen.

### **Conclusion**

It is the Applicant's belief that all of the pending claims are in condition for allowance and action towards that end is respectfully requested.

If any matters may be resolved or clarified through a telephone interview, the Examiner is respectfully requested to contact the Applicant's undersigned attorney at the number shown.

Respectfully submitted,

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